

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

TAREK MENTOURI,)	
)	
Plaintiff,)	
)	
v.)	NO. 3:21-cv-00383
)	
PERDOCEO EDUCATION)	JUDGE CAMPBELL
CORPORATION,)	MAGISTRATE JUDGE NEWBERN
)	
Defendant.)	

ORDER

Pending before the Court is the Magistrate Judge's Report and Recommendation (Doc. No. 13), which was filed on September 23, 2021. Through the Report and Recommendation, the Magistrate Judge recommends that this case be dismissed without prejudice under Fed. R. Civ. P. 41(b) for failure to prosecute, and that the pending Motion to Dismiss (Doc No. 5) be found moot. Plaintiff filed an objection on October 8, 2021. (Doc. No. 16). For the reasons discussed below, the Magistrate Judge's Report and Recommendation will be adopted and approved.

Under 28 U.S.C. § 636(b)(1) and Local Rule 72.02, a district court reviews *de novo* any portion of a report and recommendation to which a specific objection is made. *United States v. Curtis*, 237 F.3d 598, 603 (6th Cir. 2001). General or conclusory objections are insufficient. See *Zimmerman v. Cason*, 354 F. Appx. 228, 230 (6th Cir. 2009). Thus, "only those specific objections to the magistrate's report made to the district court will be preserved for appellate review." *Id.* (quoting *Smith v. Detroit Fed'n of Teachers*, 829 F.2d 1370, 1373 (6th Cir. 1987)). In conducting the review, the court may "accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1)(C).

Plaintiff generally states that his difficulties related to his incarceration “do not meet the criteria” of the factors considered by the Magistrate Judge. (Doc. No. 16). Plaintiff does not identify any specific factor for the Court to reconsider or any error made by the Magistrate Judge. Accordingly, Plaintiff’s objection does not provide a basis to reject or modify the Report and Recommendation. *See VanDiver v. Martin*, 304 F. Supp. 2d 934, 937 (E.D. Mich. 2004) (“An ‘objection’ that does nothing more than state a disagreement with a magistrate’s suggested resolution, or simply summarizes what has been presented before, is not an ‘objection’ as that term is used in this context.”). Nevertheless, the Court has reviewed the Report and Recommendation, and finds that the Magistrate Judge thoroughly considered the factors in light of Plaintiff’s circumstances. The Court finds no error in the Magistrate Judge’s determinations.¹

Having reviewed the Report and Recommendation and considered Plaintiff’s objection, the Court concludes that the Report and Recommendation (Doc. No. 13) should be adopted and approved. Accordingly, this case is **DISMISSED** without prejudice for failure to prosecute. The pending Motion to Dismiss (Doc. No. 5) is **MOOT**.

It is so **ORDERED**.



WILLIAM L. CAMPBELL, JR.
UNITED STATES DISTRICT JUDGE

¹ The Court also notes that, according to his objection, Plaintiff was released from custody on September 3, 2021, before the Magistrate Judge filed the Report and Recommendation. Plaintiff did not respond to the Court’s orders, the pending motion to dismiss, or otherwise participate in this case, except to update his address, until filing his objection on October 8, 2021.